

Richard W. Osman, State Bar No. 167993
Sheila D. Crawford, State Bar No. 278292
BERTRAND, FOX, ELLIOT, OSMAN & WENZEL
2749 Hyde Street
San Francisco, California 94109
Telephone: (415) 353-0999
Facsimile: (415) 353-0990
Email: rosman@bfesf.com
scrawford@bfesf.com

Attorneys for Defendants
CITY OF VACAVILLE, JOHN CARLI, STEVEN
GUNDERSON, RALPH VALLIMONT, CHRIS LECHUGA,
JEREMY JOHNSON, and WILLIAM BOEHM

Frank M. Pacheco, State Bar No. 163467
LAW OFFICES OF FRANK PACHECO
343 E Main Street, Suite 706
Stockton, California 95202
Telephone: (209) 937-0644
Email: fpachecolaw@gmail.com

Attorneys for Plaintiffs
RICHARD WADE and SAVANNAH CHAMPION

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RICHARD WADE and SAVANNAH
CHAMPION,

Plaintiffs,

v.

CITY OF VACAVILLE, JOHN CARLI,
STEVEN GUNDERSON, RALPH
VALLIMONT, CHRIS LECHUGA, JEREMY
JOHNSON, WILLIAM BOEHM, TREVOR
CHAMPION, SABRINA CHAMPION,
JACKIE CHAMPION, and DOES 1 to 100,
inclusive,

Defendants.

Case No. 2:20-CV-01965-TLN-KJN

**STIPULATION AND ORDER TO PROVIDE
PLAINTIFFS LEAVE TO FILE A SECOND
AMENDED COMPLAINT**

Hon. Troy L. Nunley

1 Plaintiffs RICHARD WADE and SAVANNAH CHAMPION and defendants CITY OF
2 VACAVILLE, JOHN CARLI, STEVEN GUNDERSON, RALPH VALLIMONT, CHRIS LECHUGA,
3 JEREMY JOHNSON and WILLIAM BOEHM, by and through their counsel of record, hereby represent
4 to the Court as follows:

5 WHEREAS, on September 30, 2020 Plaintiffs filed their complaint in the above captioned action
6 and after service of the complaint on the CITY OF VACAVILLE and acceptance of service by all
7 individual defendants, the parties met and conferred and stipulated that defendants' responsive pleading
8 would be due on January 19, 2021;

9 WHEREAS, on January 3, 2021, plaintiffs' counsel suffered a stroke and, as a result, his health
10 and speech has been impacted

11 WHEREAS, to this day, plaintiffs' counsel's speech therapy is ongoing and he also has multiple
12 appointments with the VA regarding other health issues;

13 WHEREAS, counsel for the parties further met and conferred and stipulated to permit plaintiffs to
14 file an amended complaint and to continue the time for plaintiffs to file an amended complaint to
15 February 5, 2021 and said amended complaint was filed;

16 WHEREAS, defendants' responsive pleading is due on February 26, 2021;

17 WHEREAS, the parties further met and conferred regarding what defendants perceive to be
18 further deficiencies in the First Amended Complaint, and plaintiffs' counsel agreed to stipulate to seek
19 leave to amend a second amended complaint so the parties can avoid defendants' filing of motion to
20 dismiss the First Amended Complaint.

21 IT IS HEREBY STIPULATED, pursuant to Local Rule 144(a), that the parties stipulate to seek
22 leave of this Court to permit plaintiffs to file a second amended complaint and that plaintiffs be provided
23 with up to **March 22, 2021** to file the second amended complaint and defendants' deadline to respond to
24 the amended complaint shall be within 21 days of the date the second amended complaint is filed.

25 It is so stipulated and agreed.

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28 //

1 Dated: February 24, 2021

BERTRAND, FOX, ELLIOT, OSMAN & WENZEL

2 By: /s/ Richard W. Osman

3 Richard W. Osman

4 Sheila D. Crawford

5 Attorneys for Defendants

6 CITY OF VACAVILLE, JOHN CARLI, STEVEN

7 GUNDERSON, RALPH VALLIMONT, CHRIS

8 LECHUGA, JEREMY JOHNSON, and WILLIAM

9 BOEHM

10 Dated: February 24, 2021

LAW OFFICE OF FRANK PACHECO

11 By: /s/ Frank M. Pacheco

12 Frank M. Pacheco

13 Attorneys for Plaintiffs

14 RICHARD WADE and SAVANNAH CHAMPION

15 **ATTORNEY ATTESTATION**

16 I hereby attest that I have on file all holograph signatures for any signatures indicated by a
17 conformed signature (“/s/”) within this E-filed document or have been authorized by Plaintiffs’ counsel
18 to show their signature on this document as /s/.

19 Dated: February 24, 2021

20 By: /s/ Richard Osman

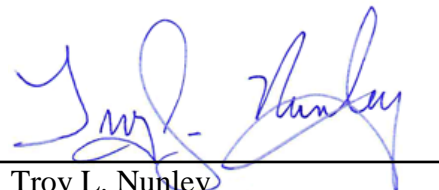
21 Richard W. Osman

22 **ORDER**

23 GOOD CAUSE APPEARING THEREFORE, and the parties’ having stipulated to the same, the
24 parties’ stipulation is hereby **APPROVED**.

25 **IT IS SO ORDERED.**

26 DATED: February 24, 2021

27 

28 Troy L. Nunley
United States District Judge